

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFW

In re Patent Application of

Atty Dkt. 900-483

C# M#

ENDOH et al.

TC/A.U. 2818

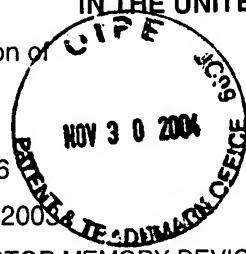
Serial No. 10/727,266

Examiner: Le, T.

Filed: December 4, 2003

Date: November 30, 2004

Title: SEMICONDUCTOR MEMORY DEVICE AND ITS PRODUCTION PROCESS



Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment	32	minus highest number			
previously paid for	32	(at least 20) =	0	x	\$ 18.00
Independent claims after amendment	2	minus highest number			
previously paid for	3	(at least 3) =	0	x	\$ 88.00
If proper multiple dependent claims now added for first time, add \$300.00 (ignore improper)					\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months)					\$ 0.00
Terminal disclaimer enclosed, add \$ 110.00					\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00)					\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed					
<input type="checkbox"/> Submission attached					
			<b>Subtotal</b>	<b>\$</b>	<b>0.00</b>
If "small entity," then enter half (1/2) of subtotal and subtract				-\$	0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith					
Rule 56 Information Disclosure Statement Filing Fee (\$180.00)				\$	0.00
Assignment Recording Fee (\$40.00)				\$	0.00
Other:					0.00
			<b>TOTAL FEE ENCLOSED</b>	<b>\$</b>	<b>0.00</b>

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
 By Atty: H. Warren Burnam, Jr., Reg. No. 29,366

Signature: H. Warren Burnam

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NOV 30 2004  
P A T E N T A L T E D E M A R K O F F I C E  
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Atty. Ref.: 900-483

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For: SEMICONDUCTOR MEMORY DEVICE AND ITS  
PRODUCTION PROCESS

\* \* \* \* \*

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ELECTION UNDER 35 USC §121**

In response to the Office Action dated November 2, 2004 holding the subject matter of claims 1-23 to be non-obvious and patentably distinct from that of claims 24-32, Applicant(s) hereby elect the invention of Group I, (upon which claims 1-23 are readable) for further substantive examination.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained for use with a possible divisional application.

Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

November 30, 2004

By: H. Warren Burnam  
H. Warren Burnam, Jr.

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